

1638
IFW

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner for Patents, P.O. Box 1450
Alexandria, VA 22313 on 15 MAY 2006

Jeff Lloyd, Patent Attorney

PETITION TO ADD INVENTOR
UNDER 37 CFR §1.48(C)
Patent Application
Docket No. MPS 11-83D2D1
Serial No. 08/478,153
Confirmation No. 6814

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : David T. Fox
Art Unit : 1638
Conf. No. : 6814
Applicant(s) : Michael J. Adang, John D. Kemp
Serial No. : 08/478,153
Date Filed : June 7, 1995
For : Insect Resistant Plants

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO ADD INVENTOR UNDER 37 CFR §1.48(c)

Sir:

This is a petition to add the following individual as an inventor in the application identified above.

Ebrahim Firoozabady
3009 Shetland Drive
Pleasant Hill, California 94523 US

05/19/2006 TBESHAH1 00000007 190065 08478153

01 FC-1464 130.00 00

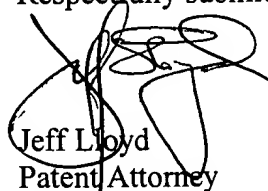
As a result of the Request for Reconsideration filed January 5, 2006, claims were added to the above application covering subject matter to which Dr. Firoozabady is entitled to be added as an inventor. The claims are supported by the specification and do not represent new matter. Further, no deceptive intent by the originally named inventors occurred. Rather, immediately

after the Request for Reconsideration was filed, the application was reviewed by attorneys of record and inventorship was reevaluated. It was ascertained that the addition of this inventor would be necessary and appropriate.

Please charge the petition fee of \$130.00 to Deposit Account 19-0065. A duplicate of this paper is enclosed.

Enclosed is an executed Supplemental Declaration Under 37 CFR §1.63 executed by the originally named inventors and by Dr. Firoozabady. Also enclosed are a Statement of Facts and Verification executed by the originally named inventors, and a Consent of Assignee.

Respectfully submitted,



Jeff Lloyd

Patent Attorney

Registration No. 35,589

Phone No.: 352-375-8100

Fax No.: 352-372-5800

Address: P.O. Box 142950
Gainesville, FL 32614-2950

JL/amh

Attachments: Supplemental Declaration (37 CFR §1.63) and Power of Attorney Forms;
Statements of Facts and Verification Under 37 CFR §1.48(c);
Consent of Assignee Pursuant to 37 CFR §1.48(c).



SUPPLEMENTAL DECLARATION (37 C.F.R. § 1.63) AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name; and

I believe that I am the original, first, and sole inventor (if only one name is listed below), or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **INSECT RESISTANT PLANTS**, specification for which

☐ is attached hereto.

☒ was filed June 7, 1995, Serial No. 08/478,153.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (a).

I hereby claim foreign priority benefits under Title 35, United States Code §119 and/or §365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Application Serial No.	Country	Filing Date	Priority Claimed
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I hereby claim priority benefits under Title 35, United States Code §119 of any provisional application(s) for patent listed below:

Application Serial No.	Filing Date	Priority Claimed
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I hereby claim the benefit under Title 35, United States Code, §120 and/or §365 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status (Patented, Pending, Abandoned)
08/151,615	November 12, 1993	Pending
07/713,624	June 10, 1991	Patented
07/260,574	October 21, 1988	Abandoned
06/848,733	April 4, 1986	Abandoned
06/535,354	September 26, 1983	Abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of

Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following persons registered to practice before the Patent and Trademark Office as my attorneys with full power of substitution and revocation to prosecute this application and all divisions and continuations thereof and to transact all business in the Patent and Trademark Office connected therewith who are associated with Customer Number 23557.

The attorneys/patent agents currently associated with this Customer Number are: David R. Saliwanchik, Reg. No. 31,794; Jeff Lloyd, Reg. No. 35,589; Doran R. Pace, Reg. No. 38,261; Jay M. Sanders, Reg. No. 39,355; Jean Kyle, Reg. No. 36,987; James S. Parker, Reg. No. 40,119; Frank C. Eisenschenk, Reg. No. 45,332; Glenn P. Ladwig, Reg. No. 46,853; Margaret Efron, Reg. No. 47,545; Gwendolyn L. Daniels, Reg. No. 51,594; John M. Sanders, Reg. No. 30,126; Jenna M. Morrison, Reg. No. 55,468; and Mai-Tram Dinh Lauer, Reg. No. 43,589.

I request that all correspondence be sent to:

Jeff Lloyd
Saliwanchik, Lloyd & Saliwanchik
A Professional Association
PO Box 142950
Gainesville, FL 32614-2950

I further request that all telephone communications be directed to:

Jeff Lloyd
352-375-8100

Name of First or Sole Inventor Michael J. Adang

Residence Athens, GA Citizenship US

Post Office Address 160 Tamarack Drive

Athens, GA 30605

Michael J. Adang
Signature of First or Sole Inventor

Date 5/2/06

.....
Name of Second Joint Inventor John D. Kemp

Residence Las Cruces, NM Citizenship US

Post Office Address 6760 Raasaf Drive

Las Cruces, NM 88005

Signature of Second Joint Inventor

Date _____

.....
Name of Third Joint Inventor Ebrahim Firoozabady

Residence Pleasant Hill, CA Citizenship US

Post Office Address 3009 Shetland Drive

Pleasant Hill, CA 94523

Signature of Third Joint Inventor

Date _____

.....
Name of Fourth Joint Inventor _____

Residence _____ Citizenship _____

Post Office Address _____

Signature of Fourth Joint Inventor

Date _____

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Residence Athens, GA Citizenship US

Post Office Address 160 Tamarack Drive

Athens, GA 30605

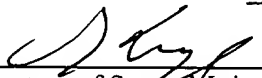
Signature of First or Sole Inventor _____ Date _____

.....
Name of Second Joint Inventor John D. Kemp

Residence Las Cruces, NM Citizenship US

Post Office Address 6760 Raasaf Drive

Las Cruces, NM 88005

 _____ Date 1/26/06
Signature of Second Joint Inventor

.....
Name of Third Joint Inventor Ebrahim Firoozabady

Residence Pleasant Hill, CA Citizenship US

Post Office Address 3009 Shetland Drive

Pleasant Hill, CA 94523

Signature of Third Joint Inventor _____ Date _____

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Residence _____ Citizenship _____

Post Office Address _____

Signature of Fourth Joint Inventor _____ Date _____

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Residence Pleasant Hill, CA Citizenship US

Post Office Address 3009 Shetland Drive
Pleasant Hill, CA 94523


Signature of Third Joint Inventor Date 1-18-06

.....
Name of Fourth Joint Inventor _____

Residence _____ Citizenship _____

Post Office Address _____

Signature of Fourth Joint Inventor Date _____



STATEMENT OF FACTS AND
VERIFICATION UNDER
37 CFR §1.48(c)
Patent Application
Docket No. MPS 11-83D2D1
Serial No. 08/478,153
Confirmation No. 6814

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : David T. Fox
Art Unit : 1638
Conf. No. : 6814
Applicant(s) : Michael J. Adang, John D. Kemp
Serial No. : 08/478,153
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For : Insect Resistant Plants

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Sir:

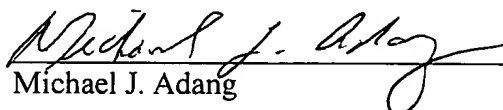
We, Michael J. Adang and John D. Kemp, are the named inventors in the application referred to above. We have reviewed this application and the Request for Reconsideration filed January 5, 2006. Subsequent to this review, it became clear that Ebrahim Firoozabady should be added as an inventor because the claims now cover subject matter to which he made a substantial inventive contribution. At the time we signed the original Declaration and Power of Attorney in this application, the claims did not cover subject matter for which he would have been entitled to inventorship status. Through no deceptive intent, but rather a careful review of the application by attorneys of record and the subsequent Request for Reconsideration in which claims were added, it is clear that Dr. Firoozabady should be included as an inventor.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these

statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Date: 5/2/06


Michael J. Adang

Date: _____

John D. Kemp



STATEMENT OF FACTS AND
VERIFICATION UNDER
37 CFR §1.48(c)
Patent Application
Docket No. MPS 11-83D2D1
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STATEMENT OF FACTS AND VERIFICATION UNDER 37 CFR §1.48(c)

Sir:

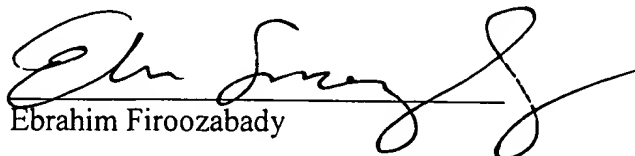
I, Ebrahim Firoozabady, have reviewed this application and the Request for Reconsideration filed January 5, 2006 in the application referred to above. Subsequently, I hereby declare that I should be added as an inventor because the claims now cover subject matter to which I made a substantial inventive contribution. At the time this application was filed, the claims did not cover subject matter for which I would have been entitled to inventorship status. Through no deceptive intent, but rather a careful review of the application by attorneys of record and the subsequent Request for Reconsideration in which claims were added, it is clear that I should be included as an inventor.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are

punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Date: 2-12-06


Ebrahim Firoozabady



CONSENT OF ASSIGNEE
PURSUANT TO 37 CFR §1.48(c)
Patent Application
Docket No. MPS 11-83D2D1
Serial No. 08/478,153
Confirmation No. 6814

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Art Unit : 1638
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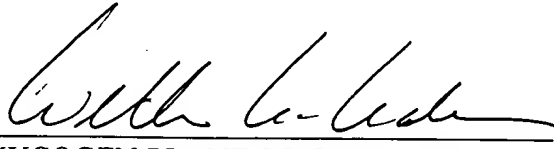
RECEIVED
JAN 24 2006

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CONSENT OF ASSIGNEE PURSUANT TO 37 CFR §1.48(c)

Sir:

Mycogen Plant Science, Inc., the assignee of the application identified above by virtue of an Assignment recorded on March 25, 1994, on Reel/Frame 6920/0047, hereby consents to the addition of Ebrahim Firoozabady as an inventor in the application identified above.


MYCOGEN PLANT SCIENCE, INC.

Date: February 2, 2006

By: William W. Wales

Title: V.P., Secretary and General
Counsel